



Appeal Decision

Site visit made on 30 May 2022 by M Long

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 July 2022

Appeal Ref: APP/Y3615/D/21/3288758

Phoenix Cottage, Effingham Common Road, Effingham, KT24 5JG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Mark Evans against the decision of Guildford Borough Council.
 - The application Ref 21/P/01758 dated 9 August 2021, was refused by notice dated 8 November 2021.
 - The development proposed is the construction of a detached garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The appeal site is within the Green Belt and therefore the main issues are:
 - whether the proposal constitutes inappropriate development in the Green Belt for the purposes of the National Planning Policy Framework (the Framework) and development plan policies;
 - the effect of the proposal on the openness of the Green Belt.
 - would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons for the Recommendation

4. The appeal site is a detached dwelling with a garage to its north that is situated within a generous plot on the north-eastern side of Effingham Common Road. There are limited public views of the site due to mature vegetation along the boundaries of the plot. The submitted documents show that there is an extant permission for a large side and rear extension at the property¹; during my visit I noted this had not yet been implemented.
5. The large, detached garage would be positioned in front of the main dwelling and would incorporate a barn-hipped roof with cedar shingles. There would be

¹ LPA Ref 19/P/02183

log stores to the north-east and south-west elevations. The proposal would be located approximately 5.6 metres away from the dwelling.

Whether there would be inappropriate development in the Green Belt

6. Paragraph 147 of the Framework establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 149 outlines that the construction of new buildings should be regarded as inappropriate, save for a number of exceptions. One of these is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
7. The proposed garage would be situated a short distance from the main dwelling. Its scale would be domestic, and it would have a functional and close physical and visual relationship with the main dwelling. The proposal would therefore appear as a normal domestic adjunct and is considered as an extension to the dwelling.
8. The extant permission for the large side and rear extension would add considerable bulk to the original dwelling across ground and first floor levels. When considered in combination with this approved scheme, the proposed garage would have an overly large footprint and height. As such, it would result in a disproportionate addition over and above the size of the original building, thus failing to meet the requirements of the Framework. While the dimensions of the proposal have been revised from a previously refused scheme², the overall size of the development would still be inappropriate in this context.
9. If the extant permission were to be implemented, the proposed garage would have a smaller size in proportion to the main dwelling. However, the Framework directs me to consider the impact of additions to the original building. There is no mechanism within the appeal documents to prevent the approved scheme from being implemented, and so I must consider the impact if both schemes were built. Given that the side and rear extension would remove the existing garage and the facilities it provides, there is a reasonable likelihood that both schemes would be implemented together.
10. Overall, the proposal would result in a disproportionate addition over and above the size of the original building. As such, it would conflict with the Framework and Policy P2 of the Guildford borough Local Plan: strategy and sites 2015-2034 (Local Plan), adopted April 2019, which seeks to prevent inappropriate development in the Green Belt.

Openness

11. Paragraph 137 of the Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
12. Although the proposal would not be particularly visible from the public realm or neighbouring properties due to the existing mature vegetation, it would be visible from the appeal site. The proposed garage would be a large additional structure to the site, which would detract from the openness of the Green Belt.

² LPA Ref 19/P/00656

However, due to its limited visibility and close association with the main dwelling, the impact on openness would be modest.

Other Considerations

13. It has been suggested a similar garage structure could be built using permitted development rights. However, there is no detailed evidence as to whether a similar scheme would meet permitted development requirements in this position at the site. As such, I can only give this matter limited weight.
14. The implementation of the extant permission for a side and rear extension would remove the existing garage and the parking and storage facilities it provides. However, there is no evidence to suggest that the large scale of the proposal is necessary, and that storage and parking can not be facilitated in a more modest manner. There is also space for outdoor parking at the site.

Conclusion and Recommendation

15. The proposal comprises inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt. The limited harm to openness is also added to this harm. Paragraph 148 of the Framework specifies that substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. As mentioned above, the other considerations do not carry significant positive weight and so do not clearly outweigh the harm identified. As such, the very special circumstances that would be needed to justify the proposal do not exist.
16. The proposed development would therefore conflict with Policy P2 of the Local Plan and the Framework.
17. Based on the above, and having regard to all matters raised, I recommend that the appeal should be dismissed.

M Long

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

K Taylor

INSPECTOR